

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Appellee,

v.

JOHN MARTINEZ,

Appellant.

No.11-cr-006521
(SDW)

ORDER

June 26, 2012

WIGENTON, District Judge.

Before the Court is appellant John Martinez's appeal from a ten-day sentence imposed by the Honorable Anthony R. Mautone, United States Magistrate Judge for the District of New Jersey ("Appeal").

For the reasons stated in this Court's opinion dated June 26, 2012, this Court will **VACATE** the ten-day sentence that is the subject of this Appeal and remand the matter to Magistrate Judge Madeline Cox Arleo for re-sentencing on the violation of probation.

SO ORDERED.

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk
Cc: Madeline Cox Arleo, U.S.M.J.
Parties